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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/746,438	12/20/2000	John K. (Jack) Thomasson	90897.010000	4033

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EXAMINER

TRAN, PHILIP B

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 09/746,438	<b>Applicant(s)</b> THOMASSON ET AL.	
	<b>Examiner</b> Philip B. Tran	<b>Art Unit</b> 2155	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 25 May 2005.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 41-71 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 41-71 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

2. Claims 41-71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maegawa (USPA Pub. 2004/0076123 A1) hereinafter Maegawa, and in view of White (Text Book: "How Computers Work") hereinafter White.

Regarding claim 70, Maegawa teaches the invention substantially as claimed by disclosing a router disposed between a subnetwork (Fig. 1 elem. 13; par. 65) and a satellite network (Fig. 1 elem. 16). Maegawa also teaches that multiple clients computers, or PCs, are attached to the subnetwork (Fig. 1 elem. 13). The personal

computers have processors and storage devices containing programs (inherent).

Maegawa also teaches a global communications network (Fig. 1 elem. 12; pars. 64 and 6). Maegawa also teaches a network interface (Fig. 5 elem. 101 internet) and a satellite receiver interface (Fig. 1 elem. 101 broadcast). The router connecting subnets 16 and 13 receives data downloaded from the global communications network through a satellite receiver and through the satellite receiver interface and operates to route the downloaded data to a plurality of client computers (Fig. 1 "PC") connected to a computer network (Fig. 1 elem. 13) through the network interface.

Although Maegawa does not teach that this specific router is a personal computer, Maegawa teaches that other routers in the system are personal computers (Fig. 1 elem. 23 PC as router per par. 68).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Maegawa's router between subnetwork 13 and satellite subnetwork 16 to be an personal computer as opposed to a special purpose router based on Maegawa's explicit teaching that a personal computer can act as a router (par. 68). A person of ordinary skill in the art at the time the invention was made would reasonably infer that a personal computer acting as a router would perform these tasks in software. This inference flows logically from the fact the fact that a personal computer is a general purpose computer and therefore implements functions in software.

Given that the router connecting subnetworks 13 and 16 is a personal computer, Maegawa does not specifically teach a network driver, a satellite driver, and routing

instructions as claimed. Nor does Maegawa teach that the; client computers do not have the same operating systems.

White on the other hand teaches that hardware devices in personal computers have software drivers (p. 29). White also teaches that personal computers run a variety of operating systems.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine White's teachings regarding general features of personal computers with the PC router of Maegawa by having a device driver for the router's network interface and a device driver for the router's satellite interface because of White's teaching that PC's use device drivers (p. 29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine White's teachings regarding the fact that personal computers use a variety of operating systems by having the personal computers attached to Maegawa's subnetwork 13 run different operating systems because of White's teaching that these other operating systems are recognized alternatives (p. 9).

Claims 41, 59 and 71 are rejected under same rationale as rejection of claim 70.

Regarding to claims 42-58 and 60-69, Maegawa teaches the invention as claimed local area network is disclosed as the sub-networks are usual local area networks, a large number of personal computers (PC) and server devices (S) are connected and are mainly constituted by Ethernets and communication lines (LAN) (Fig.

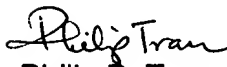
1, paragraph[0065]). It would have been obvious to one of ordinary skill in the art that all other claims are also taught by Maegawa and White combined.

### ***Conclusion***

3. A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS ACTION IS SET TO EXPIRE THREE MONTHS FROM THE MAILING DATE OF THIS COMMUNICATION. FAILURE TO RESPOND WITHIN THE PERIOD FOR RESPONSE WILL CAUSE THE APPLICATION TO BECOME ABANDONED (35 U.S.C. § 133). EXTENSIONS OF TIME MAY BE OBTAINED UNDER THE PROVISIONS OF 37 CAR 1.136(A).

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip Tran whose telephone number is (571) 272-3991. The Group fax phone number is (571) 273-8300. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar, can be reached on (571) 272-4006.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
Philip B. Tran  
Primary Examiner  
Art Unit 2155  
Dec 09, 2005